

Workforce Management and Development in the California Courts

Implementation Guide



ADMINISTRATIVE OFFICE
OF THE COURTS

HUMAN RESOURCES DIVISION



Contents

Overview	1
Fundamentals of WM&D People Processes	1
<i>Diagram 1: Workforce Management and Development Model</i>	2
Definitions	2
Applying WM&D in the Courts	3
Project Structure	3
<i>Diagram 2: WM&D Project Structure</i>	5
Chronology of Work: Work Process Map	6
<i>Diagram 3: Work Process Map</i>	7
Summary: Applying WM&D in the Courts	8
Getting Started—Initial Assessments	8
Assessing Retirement Eligibility Risk and Identifying Critical Positions	8
<i>Diagram 4: Activities for Identifying At-Risk Critical Positions</i>	10
Assessing and Analyzing WM&D Systems	15
Basic Building Blocks Assessment	17
<i>Basic Building Blocks Assessment</i>	18
Benefits of the WM&D Process	35
Putting It All Together: Action Planning and Additional Resources	36
Appendix A. Union Considerations in WM&D Efforts	A-1
Appendix B. Retaining Retirement-Eligible Talent	B-1



Workforce Management and Development Implementation Guide

Overview

Effective workforce planning involves knowing the status of both people in critical positions and those in line to succeed them. This guide defines the “people processes” in the workforce management and development (WM&D) model. It also provides succession planning tools with which a court can begin assessing its own levels of risk and preparedness in regard to WM&D. It is intended to provide courts with the basic concepts and tools needed to successfully implement a WM&D assessment or improvement project.

Please note that, while this guide has been written specifically for use in the courts, it can be applied to any organization or division within the branch seeking to assess its WM&D processes and implement improvements in them. This guide also can be tailored for a variety of court sizes; small courts may not require each step for meaningful planning or management.

Fundamentals of WM&D People Processes

Workforce management and development is the active strategic management of all aspects of the “talent life cycle” of employees. It includes three basic functional areas:

People processes

- Workforce planning
- Recruiting, hiring, and retention
- Performance management
- Employee development
- Reward and recognition system
- Retirement contingency or “gap” preparation

Succession planning

- Succession planning
- Succession management

Knowledge management

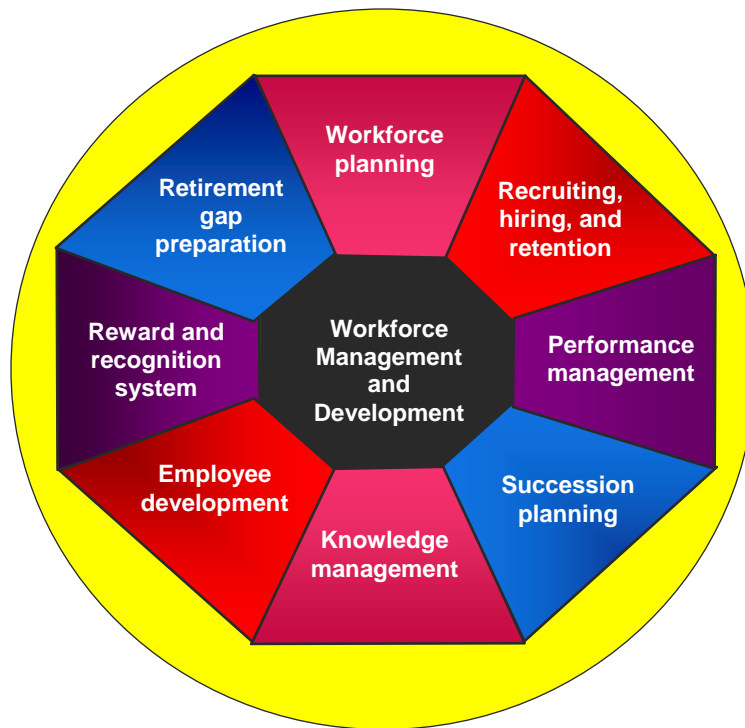
- Knowledge capture
- Knowledge transfer

All of these areas should work together as a complementary WM&D system. The system operates with the important assumption that the talent life cycle of each employee began with recruitment and is continuing.

The people processes component helps an organization manage its human resources through planning and development. Organizations that have strong people processes enable employees to meet organizational goals and advance the strategic plan.

Over time, the goal for every court is to embed these processes in its everyday work in order to ensure a workforce of the right size, skills, and performance level to meet organizational needs.

Diagram 1. Workforce management and Development Model



NOTE: Alignment with strategic planning, the involvement of unions, and sufficient support of related HR and IS systems all help ensure success.

Diagram 1 displays the components of an effective WM&D system. All of the components working together help maximize the potential of employees during their talent life cycles.

Definitions

Following are definitions of these components.

- **Workforce planning**—Understanding the size, demographics, and capabilities of the workforce, and planning how to develop, deploy, and retain that workforce to best meet organizational goals, now and in the future
- **Recruiting, hiring, and retention**—Acquiring new talent and retaining current talent to fit workforce plans and organizational needs
- **Performance management**—Setting specific and measurable goals for employees and using feedback, coaching, and recognition to improve performance and skills
- **Succession planning**—Anticipating and planning for future organizational needs by identifying critical positions and high-potential employees, and taking steps to develop these employees for future key positions
- **Knowledge management**—Identifying, organizing, documenting, storing, and transferring critical organizational knowledge

- **Employee development**—Developing employee capabilities through training, on-the-job experience, and education based on well-defined job requirements, individual goals, and current and future organizational needs
- **Reward and recognition system**—Offering a supportive and motivating work environment by recognizing and rewarding employee contributions and achievements
- **Retirement contingency or “gap” preparation**—Preparing for the retirement of people in positions critical to court operations to ensure that essential skills and knowledge remain in the organization.

The goal is to use all of these components together over time to ensure a workforce of the right size, skills, and performance to meet organizational needs. Relying too heavily on one or two of the components and neglecting others reduces the effectiveness of the overall process for employees and the organization.

Applying WM&D in the Courts

Workforce management and development is a highly interrelated set of processes. Volumes have been written about each component of WM&D. When the components are taken together, the scope and complexity of assessing, improving, and simply understanding WM&D can be overwhelming.

It is important to have a framework for assessing and addressing short- and long-term WM&D needs. While the overall framework should remain fairly consistent among courts as they work to understand and close WM&D gaps, it is likely that individual courts will differ in priorities and action plans. This flexibility is necessary, and it reflects the understanding that each court has a unique culture with unique business needs and must adapt strategies, processes, and tools to those needs.

To illustrate how an effective WM&D effort in a court might be structured, two process models are presented below. The first model delineates the key functional areas, or work streams, of an integrated WM&D effort. The second model is a chronological process for assessing and addressing WM&D needs.

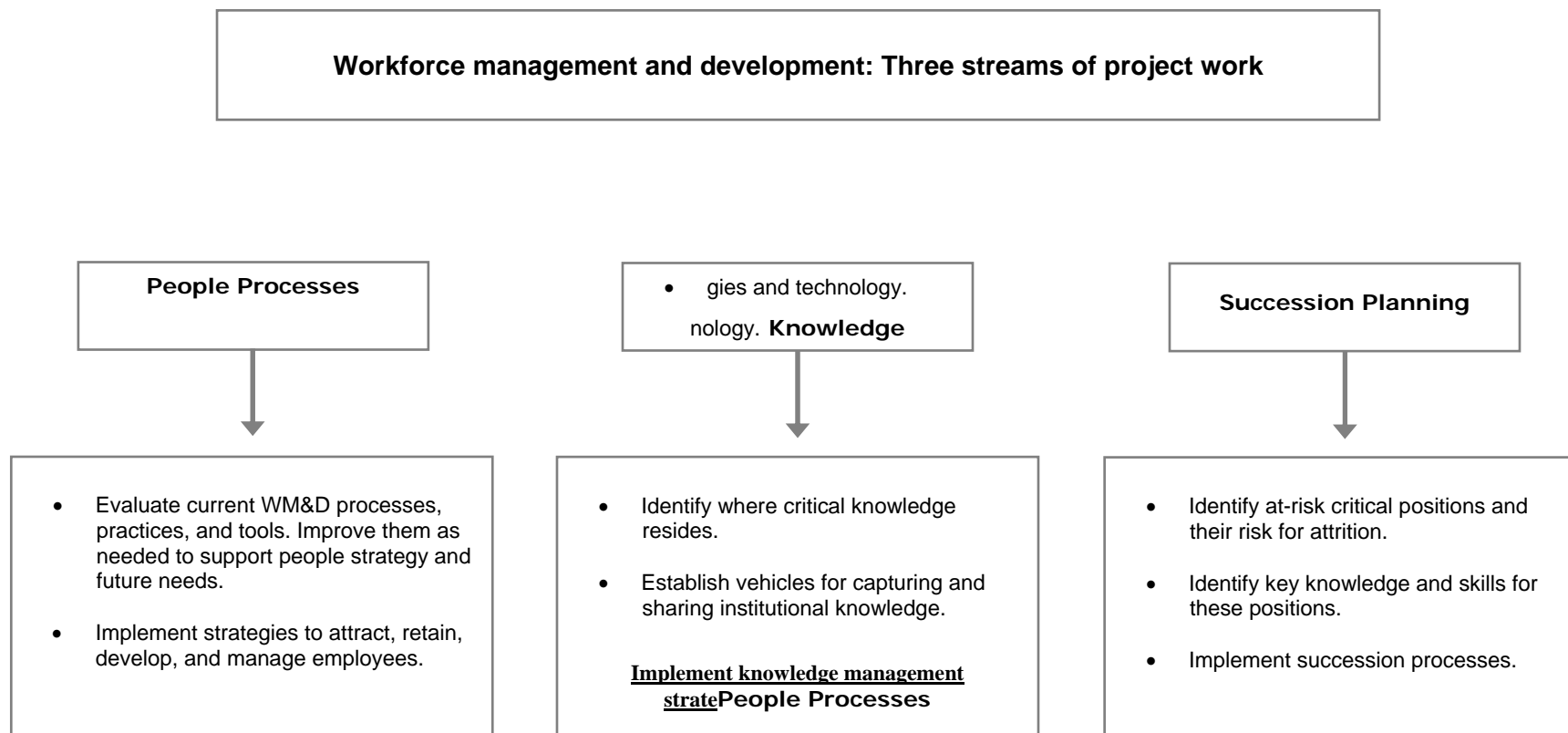
Process Model One: Project Structure

One way to understand a WM&D effort as applied to court operations is to break it down into large categories of work. **Diagram 2** shows a WM&D effort broken down into three main categories: people processes, knowledge management, and succession planning.

These categories were chosen purposely to elevate the role of knowledge management and succession planning in addressing the retirement-wave exodus. The people processes are critical in that they are needed to support retention and development of critical knowledge and skills within a court, and should be improved on over time so that a strong WM&D system is put in place.

In the diagram, action steps are identified under each main category. These action steps—such as “Identify where critical knowledge resides” and “Identify critical positions and their risk for attrition”—are essential for understanding and addressing WM&D issues in any court.

Diagram 2. WM&D Project Structure



Process Model Two: Chronology of Work (Work Process Map)

Another helpful way to understand a WM&D effort in a court system is shown in **Diagram 3**, a chronological work process map. Steps are shown in the order in which they would occur in a court.* Further explanation of each step follows.

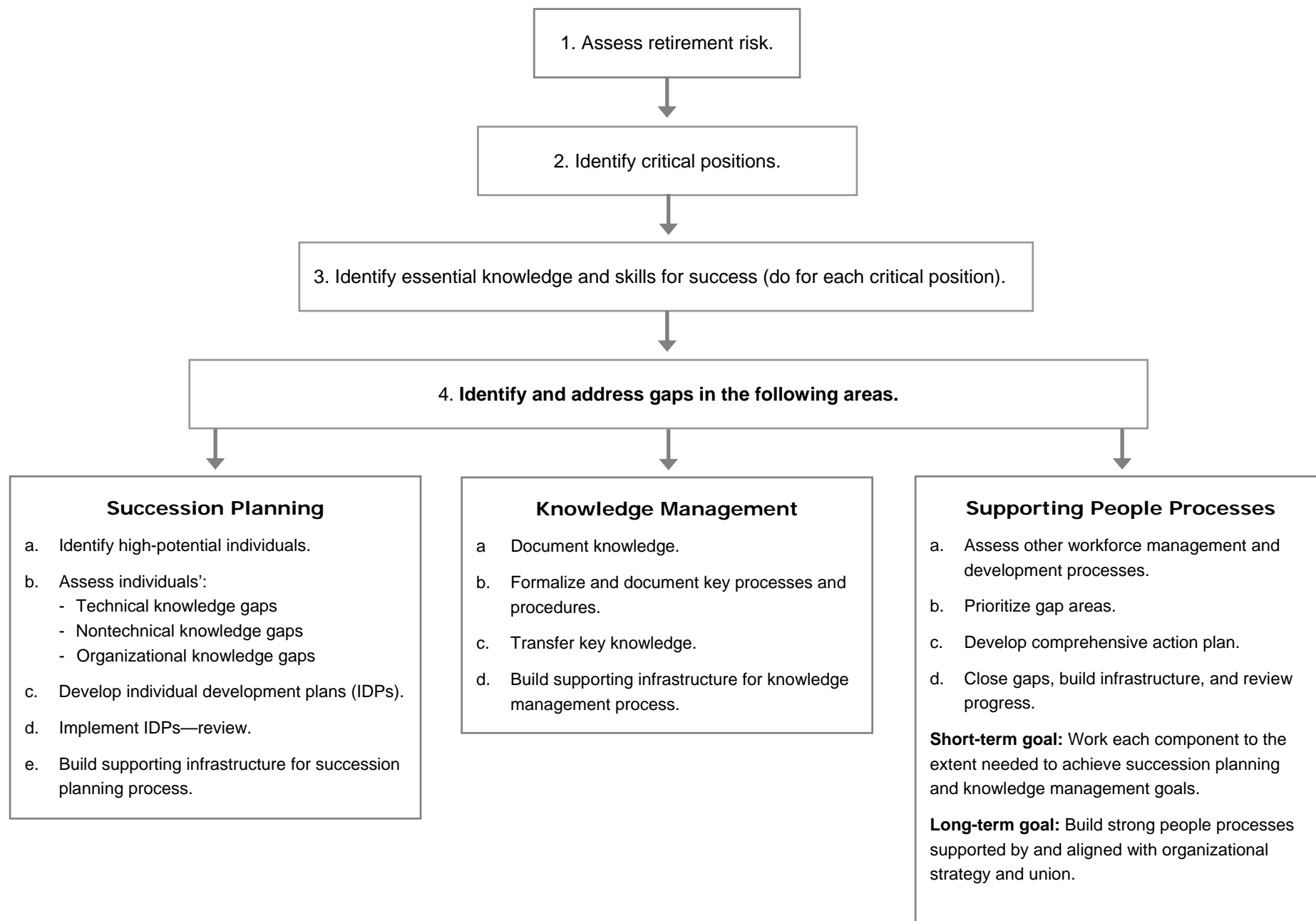
Step 1: Assess retirement (eligibility) risk. This step involves gathering and assessing demographic information to determine the level of retirement eligibility risk associated with a particular position. This information serves as a foundation for projecting future workforce gaps and retirement impact.

Step 2: Identify critical positions. In this step, retirement eligibility is correlated with specific court positions to determine whether any of the positions held by personnel likely to leave in the near future will pose a serious threat to the court's ability to conduct its work. Critical positions are defined as those that—due to either the criticalness of the incumbents' unique knowledge and skills or the sheer volume of people eligible to retire in any given position—would severely affect court operations if they were vacated.

Step 3: Identify essential knowledge and skills for success. This step recognizes that particular knowledge and skills are needed for an individual to successfully carry out the duties of any given position. In order to prepare successors, select replacements, and capture and transfer knowledge, it is necessary to identify the essential knowledge and skills required for each identified critical position.

Step 4: Identify and address gaps in succession planning; knowledge management; and other, supporting people processes (workforce planning, recruiting/hiring and retention, performance management, employee development, reward and recognition systems, and retirement contingency or gap planning). Once the court's needs are identified, the infrastructure must be refined or built to develop and maintain the new processes.

* **Note:** This guidebook provides instructions for completing steps 1, 2, and 4. By completing these steps a court can decide whether it wants to take further action to supplant its WM&D processes. Step 3 should be undertaken if it is determined that the loss of any personnel likely to leave in the near future will pose a serious threat to the court's ability to conduct its work. Instructions for completing step 3 are provided in the manuals *Knowledge Management Handbook* and *Succession Planning and Management Guide*.

Diagram 3. Work Process Map

Summary: Applying WM&D in the Courts

In summary, the field of workforce management and development comprises very important and highly complex, interrelated processes. The components of WM&D need to be aligned with one another as well as with court strategic plans and any represented unions. If this is achieved, courts will be successful in preparing and maintaining a knowledgeable, skilled workforce that not only can carry out court operations but excels at operating a court in a changing environment.

Next, let's take a closer look at how to conduct the initial WM&D assessments. Instructions for determining retirement eligibility risk, identifying and selecting critical positions, and assessing the relative strength of each WM&D process follow.

Getting Started—Initial Assessments

Directions and tools are provided in this section to enable a court to conduct several high-level assessments of retirement risk and WM&D systems' functionality. The assessment results are meant to be starting points for more in-depth assessment and planning and are to be used by a court to decide whether further action is needed. Immediate action is indicated if a court suspects that impending retirements will have adverse impacts on court operations within three to five years.

There are two basic assessments that are recommended as starting points for every court. The first assessment looks at an individual court's retirement risk and begins to identify critical positions for mitigation planning purposes. The second assessment addresses existing WM&D systems by looking at the basic components, or "building blocks," that any court should have in place regarding WM&D systems and infrastructure.

Assessing Retirement Eligibility Risk and Identifying Critical Positions

(Diagram 3, steps 1 and 2)

The assessment of retirement eligibility risk and the identification and selection of critical positions are the first steps in assessing the WM&D needs of a court. These steps lay the groundwork for avoiding the loss of talent and knowledge that are essential to your court's effectiveness.

A heavy emphasis must be placed on early analysis and intervention; they are critical to this process! The analysis of eligible retirees in your court will help determine whether the loss of certain positions or knowledge would negatively affect your court operations. Through this analysis you will be able to target knowledge retention strategies and development of successors to prevent such negative impacts. These strategies and tools take time to implement and to produce results.

The following table outlines the roles and responsibilities of court leaders, human resources managers, and the Administrative Office of the Courts in this assessment.

Role	Responsibilities
CEO and senior management team	The court executive officer and senior management team identify the positions that are critical to the future success of the court, identify candidates for future succession, and actively participate in determining how this information will be integrated with court management.
HR managers	Human resources managers and staff assist the CEO and senior management team in gathering, analyzing, identifying, and planning the phases of this assessment. The findings are summarized and presented to the CEO for discussion with the senior management team.
AOC	The Administrative Office of the Courts provides the courts with useful tools, including guides and advice. Facilitation of any phase of the process is available on request.

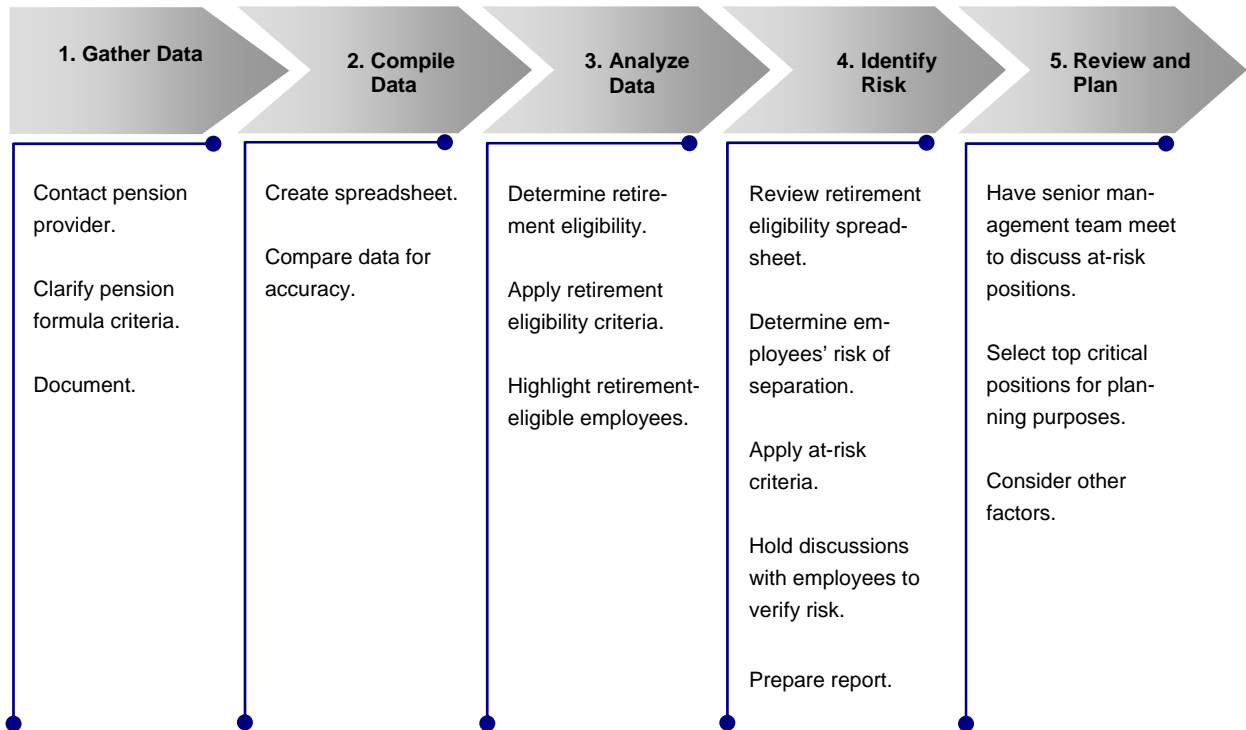
Once you complete the activities outlined in this section, your court will have:

1. Clear data that will determine whether the court needs to concern itself with the impacts of losing critical people and knowledge because of retirement
2. The opportunity to develop a plan to address any upcoming gaps that may be left by retirements or other losses of key personnel

Diagram 4 provides a high-level view of all of the activities a court must undertake to identify retirement-eligible employees who may be at risk of leaving the organization.

- **At risk (definition)**—Likely to leave the organization within the next 36 months because of clear and known factors, such as retirement eligibility, dissatisfaction with work environment or management, or personal issues.

Diagram 4. Activities for Identifying At-Risk Critical Positions



It is recommended that this process be conducted at least once a year.

ACTIVITY 1: GATHER DEMOGRAPHIC DATA



Why: To identify the number and characteristics of the current workforce in terms of position, age, tenure, projected retirement status, and other data relevant to vulnerability, in order to identify individuals who are nearing retirement eligibility and who are in critical positions.



Who does this activity: HR representative—or a person designated by the CEO (usually senior analyst level or above).



How: Conduct a demographic assessment, as follows.

- (a) Request the following information from your court's pension provider.

Required data—the information you must have to complete the assessment of at-risk critical positions:

- Age
- Years of service, or tenure
- Retirement date
- Number of employees per position

Optional data—information that is not required but may prove useful in terms of viewing your workforce as a whole and in determining next steps:

- Retirement preferences (based on your internal knowledge)
- Gender
- Number of employees
- Pension plans and factors that support retention or facilitate retirement

(b) Clarify the pension formula and “driver.” During your conversation or in your written request to the pension provider, ask them to explain your court’s pension plan in detail or provide you with literature that explicitly outlines the plan. The critical questions you should ask are:

- Does *years of service* or a *combination of employee age and years of service* determine an employee’s retirement eligibility?
- Does our court pension plan have reciprocity with any county agencies?
- Does the retirement years-of-service information include employee accruals from elsewhere? (This may affect an employee’s retirement eligibility date with the court.)

(c) Document the information you receive from your pension provider.

ACTIVITY 2: COMPILE DATA



Why: To put data into a format that can be easily analyzed and summarized, in order to facilitate a discussion between the CEO and senior management team. This information will be utilized to make critical decisions for retirement gap preparation and other WM&D planning.



Who: HR representative—or a person designated by the CEO (usually senior analyst level or above).



How: Create a spreadsheet.

(a) Enter all the information into a spreadsheet containing the required data from Activity 1. This document will eventually become your report. **For example:**

Agency/unit (optional)	Name (required)	Class code (optional)	Class title (required)	Pension plan membership date (required)	Years of service (required)	Date of birth (optional)	Age (required)	Retirement eligibility (required)

NOTE: *Optional data are shaded.*

(b) Check data for accuracy.

- It is recommended that you proofread the data after they are entered into the spreadsheet.
- Make a cursory examination of the data to make sure they align with your knowledge of retirement eligibility and other factors.

ACTIVITY 3: **ANALYZE DATA**



Why: To determine whether a vacancy in any of the positions held by personnel likely to leave in the near future will pose a serious threat to the court's ability to conduct its work.



Who: HR representative—or a person designated person by the CEO (usually senior analyst level or above).



How:

(a) Determine retirement eligibility:

- Look at the Years of Service column and the Age column.
- Next, calculate each employee's retirement eligibility date by comparing these two columns to court-specific pension criteria.



NOTE: *For this process to be successful, you must know what drives your pension plan—(1) age or (2) both age and service.*

(b) Apply the retirement formula criteria to all employees in each column.

(c) Highlight the employees who are retirement-eligible based on the formula just outlined.

ACTIVITY 4: **CALCULATE SEPARATION RISK**



Why: To illustrate the critical position vacancies the court will likely face in the future. To identify the interventions that are necessary to retain high-potential candidates needed for the future.



Who: HR representative—or a person designated by the CEO (usually senior analyst level or above).



How: Review the spreadsheet.

(a) Apply the following standards to each retirement-eligible employee to determine the level of risk of leaving the organization.

- *High risk* = The employee is at risk of leaving the organization within the next 24 months because of clear and known factors, such as retirement eligibility, dissatisfaction with the work environment or management, or personal issues.
 - *Medium risk* = The employee may be at risk of leaving within the next 36 months, but there are no known pressing factors that would cause the employee to leave, such as retirement eligibility, job dissatisfaction, or personal issues.
 - *Low risk* = The employee is generally not at risk of leaving the branch, and it is known or understood that the candidate intends to remain with the organization for at least the near term.
- (b) Hold discussions with identified medium- and high-risk employees to verify their approximate times of retirement. Make any needed adjustments to these employees' risk classifications.
- (c) Document the information you have about medium- and high-risk employees, including current position titles.
- (d) Summarize the results in a report.
- (e) Initiate a planning meeting with the CEO and senior management team to review the results and plan the next steps.

ACTIVITY 5: REVIEW ASSESSMENT INFORMATION AND PLAN NEXT STEPS



Why: To assess information and project future workforce gaps. To plan next steps, including loss mitigation.



Who: CEO and senior management team.



How: CEO and senior management team meet.

- (a) Discuss those positions that were deemed high- and medium-risk.
- (b) Select critical positions for mitigation planning purposes (narrow to the top few critical positions). Use the following questions to facilitate the discussion.

Impact on court operations:

- What happens to the court if this position is vacant?
- How critical is the position in fulfilling the court's mission and strategic plan commitments?
- How critical is this position to the success of other positions?
- What specialized skills or institutional knowledge would be lost?

Degree of difficulty in filling the position:

- How specialized are the knowledge and skills associated with this position?
- How steep is the learning curve to acquire the knowledge and skills?
- How limited is the pool in the marketplace?
- How difficult is it to recruit and train replacements?

Future impact on court operations:

- Is this position increasingly important to the court system's strategic objectives in the near future? Why?

(c) Consider other factors when determining the impacts of retirements:

- Look at the court's strategic plan to determine the court's needs. Consider the impacts of new technology or changes in process design.
- Determine the longevity of the position. You may want to ask, "Is this a position that supports only current operations, or is it a position that will be needed in the future?"
- Identify operating environment factors (e.g., California labor laws, market statistics, population trends, related trial court and other branch practices, and rules of court) that mitigate or increase risk.
- Consider how external factors such as economic environment, upcoming changes in pension plans or benefits, an individual's personal factors, increased geographic mobility, or openings in other parts of the branch may affect an individual's risk of separation.

(d) Verify that the positions selected are still the critical positions, given the above considerations.

NOTE: Refer to Appendix B for recommendations on retaining retirement-eligible personnel.

Summary: Assessing Retirement Eligibility Risk and Identifying At-Risk Critical Positions

Assessment Review. The assessment of retirement eligibility risk and the identification and selection of critical positions are the first steps in assessing the workforce management and development needs of a court. Critical positions have been defined as those that, because of either the incumbent's unique knowledge and skills or the sheer volume of people eligible to retire in any given position, would severely affect court operations if they were vacated.

Outcomes. By completing this assessment, a court will have:

- Collected relevant demographic information regarding employees with impending retirement eligibility
- Identified which employees are at medium or high risk of retiring within 36 months
- Identified which medium- and high-risk employees hold critical positions
- Selected critical positions for further planning purposes and loss mitigation

Uses. This work lays the groundwork for avoiding the loss of critical talent and knowledge that are essential for the court's effectiveness. Once critical positions are identified, this information acts as a starting point for:

- The succession planning process—which includes (1) identifying a pool of people to develop and (2) putting a mentoring and development process in place
- The knowledge management process, in which critical information is identified and captured before people leave

Next Step. Next, it is important to do an initial assessment of the court's WM&D practices and processes to determine where improvements may be needed. It is highly recommended that this step be done before any significant WM&D work is begun, to ensure that the court's people processes support and align with overall WM&D objectives and desired outcomes.

Assessing and Analyzing WM&D Systems

(Diagram 3, step 4)

The WM&D assessment that follows will assess the relative core strength of each of the court's WM&D components, or building blocks: workforce planning; recruiting, hiring, and retention; performance management; succession planning; knowledge management; employee development; reward and recognition system; and retirement gap preparation.

ACTIVITY 6: ASSESS YOUR COURT'S BUILDING BLOCKS



Why: To help educate the team about the topic of workforce management and development and what it encompasses. To review and analyze the existing WM&D system in order to determine whether it has minimal functionality and whether improvements are needed.



Who: CEO and senior management team.



How: Meet and take the WM&D system assessment to determine how current court practices compare to minimally effective WM&D practices.



Outcome: A better understanding of the relative strengths of current court-specific WM&D practices for each work process area. This information is especially helpful when discussed by court leaders and can be used for the purpose of planning and prioritizing to strengthen a court's WM&D system.



Detailed Instructions: CEO and senior management team meet and engage in the defined process. Note that you will need the following supplies for this activity:

- Copy for each team member of the Basic Building Blocks Assessment that appears on pages 18–29 and the examples on pages 30–33
- Overhead projector
- Transparencies of assessment sheets A through H (pages 18–25) and the blank Summary Score Sheet table and Process Snapshot graph (pages 27 and 28)
- Transparency marker
- Flip chart and markers
- Copies of “Benefits of the WM&D Process” (page 35)

1. Take the assessment.

- (a) Explain the purpose and desired outcome of the assessment.
- (b) Give each team member a copy of the assessment.
- (c) Put the transparency for the first system component, workforce planning, on the overhead. Have the team members individually respond to the five items.
- (d) As a group, discuss each item and the frequency with which people feel it occurs in the court. Take time to explore any differences, seeking to understand why the ratings differ. (Have members ask themselves, “What information does someone else have that I may not have that leads them to their conclusions?”)
- (e) For each of the five items, come to a consensus on the rating, and mark a “1” in the appropriate box on the overhead.
- (g) Repeat steps c–e for the other seven WM&D categories, as laid out in the assessment.

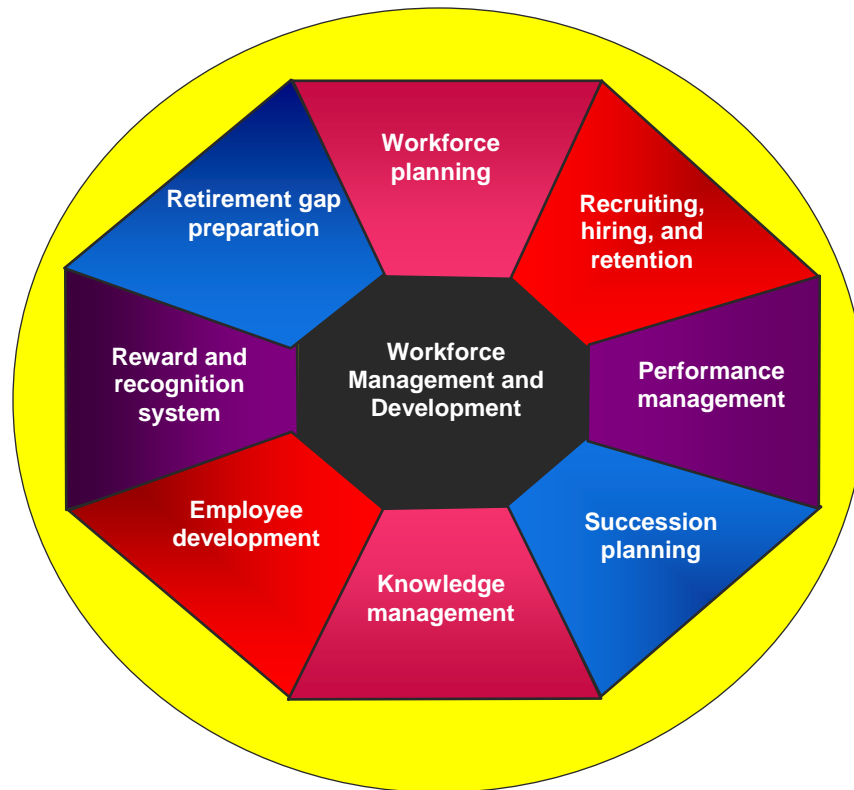
2. Score each system component.

- (a) Transfer the group results to each scoring sheet transparency.
- (b) Calculate the score by totaling the columns and multiplying by the weight (refer to the scoring sheet example on page 31). Do this for all eight WM&D categories.
- (c) Transfer the category score to the Summary Score Sheet transparency.
- (d) Plot the category score on the WM&D Process Snapshot graph transparency (refer to the example on page 33).
- (e) Discuss and note key areas of concern and priorities for follow-up.

NOTE: *The real value of this exercise is the dialogue that occurs as members come to understand the components of WM&D and the strengths and weaknesses of each process in the court. Discussion may generate more questions than answers; be sure to capture issues for further discussion and follow-up on a flip chart as they are brought up. Also, the ratings given to each question are rough indicators; spend enough time to understand the issues, but not too much time. Keep the team on track and moving through the exercise!*

Basic Building Blocks Assessment

The Basic Building Blocks Assessment on pages 18–29 is a tool for assessing the relative core strengths of the WM&D components shown in Diagram 1 (repeated below). The assessment is built on the premise that these basic building blocks must be in place in a court for minimal functionality to occur.



NOTE: *Alignment with strategic planning, the involvement of unions, and sufficient support of related HR and IS systems all help ensure success.*

BASIC BUILDING BLOCKS ASSESSMENT

A. WORKFORCE PLANNING

Definition: Workforce planning involves a strategic review of the court's current workforce to see if any adjustments need to be made in the number, types, or descriptions of positions in order to respond to changing needs in the court and the judicial branch.

INSTRUCTIONS: For each numbered item below, mark a "1" in the box that best represents the percentage of time this activity occurs in the court overall.

Possible responses are:

- *Never or occasionally (occurs 50 percent or less of the time)*
- *Sometimes or always (occurs 51 to 75 percent of the time)*
- *Almost always or always (occurs 76 to 100 percent of the time)*

This happens:

	<i>Never or occasionally</i> (50% or less of the time)	<i>Sometimes or often</i> (51–75% of the time)	<i>Almost always or always</i> (76–100% of the time)
1. Workforce planning is included as part of the strategic planning process of the court.			
2. Managers routinely review open or vacating positions to assess whether the existing position is still necessary or should be redirected and/or redefined to meet changing court needs.			
3. Managers routinely assess the changing demands on their areas of responsibility and effectively re-deploy their workforce resources to meet those demands.			
4. Position descriptions are routinely reviewed and updated.			
5. Court leadership ensures that adequate skills and knowledge levels exist to meet current and future court demands.			
Subtotals (for each column, total the 1's)			

BASIC BUILDING BLOCKS ASSESSMENT

B. RECRUITING, HIRING, AND RETENTION

Definition: Recruiting, hiring, and retention involve acquiring and keeping talent in order to carry out workforce plans and meet organizational needs. The ability of an organization to recruit, hire, and retain solid employees is a key to efficient and effective court operations.

INSTRUCTIONS: For each numbered item below, mark a "1" in the box that best represents the percentage of time this activity occurs in the court overall.

This happens:

	<i>Never or occasionally</i> (50% or less of the time)	<i>Sometimes or often</i> (51–75% of the time)	<i>Almost always or always</i> (76–100% of the time)
1. The persons actively involved in the hiring process have adequate knowledge of—and training in—good techniques for candidate assessment and selection.			
2. A thorough screening and assessment process is used, which results in the selection of candidates well matched to the job.			
3. Competencies (information on needed knowledge, skills, and attributes) are identified for all position categories, and job descriptions are kept up to date.			
4. When the court has a vacancy, a sufficient number of qualified candidates (either internal or external candidates) are available.			
5. The level of employee turnover is low and/or does not cause concern.			
Subtotals (for each column, total the 1's)			

BASIC BUILDING BLOCKS ASSESSMENT

C. PERFORMANCE MANAGEMENT

Definition: Performance management involves setting specific and measurable goals for employees and using feedback, coaching, and recognition to improve performance and skills.

INSTRUCTIONS: For each numbered item below, mark a “1” in the box that best represents the percentage of time this activity occurs in the court overall.

This happens:

	Never or occasionally (50% or less of the time)	Sometimes or often (51–75% of the time)	Almost always or always (76–100% of the time)
1. Managers and supervisors hold formal meetings with their individual staff members at least twice a year to: discuss job performance expectations; establish concrete, measurable work-related goals; and provide feedback on work performance and progress.			
2. Managers and supervisors provide guidance, tools and opportunities for employees to improve their job performance (e.g., manager coaching or “how-to’s”; one-on-one training; job aids; manuals; formal training).			
3. Managers and supervisors are trained in and utilize effective communication skills for giving their employees feedback on job performance and coaching for improvement.			
4. Managers and supervisors provide their employees with ongoing feedback, both complimentary and constructive, regarding job performance.			
5. Managers and supervisors use a form or template to prepare for and document performance-related discussions with their employees.			
Subtotals (for each column, total the 1’s)			

BASIC BUILDING BLOCKS ASSESSMENT

D. SUCCESSION PLANNING

Definition: Succession planning involves preparing a ready supply of current and future leaders by identifying, developing, and monitoring high-potential staff and ensuring that they have opportunities to progress in the organization.

INSTRUCTIONS: For each numbered item below, mark a “1” in the box that best represents the percentage of time this activity occurs in the court overall.

This happens:

	<i>Never or occasionally</i> (50% or less of the time)	<i>Sometimes or often</i> (51–75% of the time)	<i>Almost always or always</i> (76–100% of the time)
1. Managers and supervisors identify and discuss with their employees the competencies (knowledge, skills, and attributes) required for higher-level positions.			
2. Career ladders are defined for critical union and management positions.			
3. Employees have career development opportunities (e.g., higher classifications, laterals, promotions, developmental job experiences and projects).			
4. High-potential candidates are identified and developed for acquisition of critical knowledge and skills in order to be considered for future leadership positions.			
5. Demographic information on retirement eligibility and possible successors is understood and used to ensure adequate preparation for and transition into critical positions.			
Subtotals (for each column, total the 1's)			

BASIC BUILDING BLOCKS ASSESSMENT

E. KNOWLEDGE MANAGEMENT

Definition: Knowledge management involves the organization, documentation, storage and transfer of organizational knowledge.

INSTRUCTIONS: For each numbered item below, mark a “1” in the box that best represents the percentage of time this activity occurs in the court overall.

	This happens:		
	<i>Never or occasionally</i> (50% or less of the time)	<i>Sometimes or often</i> (51–75% of the time)	<i>Almost always or always</i> (76–100% of the time)
1. Managers, supervisors, and employees have documented processes and procedures for most of their responsibilities.			
2. It is fairly easy and expedient for all court employees to get the information they need to do their jobs.			
3. Managers and supervisors have documented the areas of responsibility; the skills, abilities, and attributes; and the tasks associated with each key position that they supervise.			
4. Managers and supervisors ensure that new employees have access to the complete information, tools, and knowledge necessary to perform their work.			
5. Court leaders ensure that processes are in place for continuous improvement and learning (e.g., project debriefs, “what is working and what is not” analysis)			
Subtotals (for each column, total the 1’s)			

BASIC BUILDING BLOCKS ASSESSMENT

F. EMPLOYEE DEVELOPMENT

Definition: Employee development involves expanding employees' capabilities through training, on-the-job experiences, and higher education based on well-defined proficiency and skill requirements, individual goals, and organizational needs.

INSTRUCTIONS: For each numbered item below, mark a "1" in the box that best represents the percentage of time this activity occurs in the court overall.

This happens:

	Never or occasionally (50% or less of the time)	Sometimes or often (51–75% of the time)	Almost always or always (76–100% of the time)
1. Managers and supervisors offer advice and support to their employees in professional development activities (e.g., training, shadowing, team projects, and cross-assignments)			
2. Managers and supervisors routinely monitor and provide feedback on employees' professional development accomplishments and needs.			
3. Managers and supervisors are trained in and utilize their skills in mentoring and coaching to further develop their employees.			
4. Managers and supervisors utilize performance management strategies and tools (e.g., a performance planning form) to document concrete professional development goals for each employee and his or her progress toward those goals.			
5. The court's HR staff evaluates the effectiveness of training and other developmental activities for transfer of learning, skill and knowledge acquisition, and performance improvement.			
Subtotals (for each column, total the 1's)			

BASIC BUILDING BLOCKS ASSESSMENT

G. REWARD AND RECOGNITION SYSTEM

Definition: A reward and recognition system involves reinforcing desired employee efforts and offering a supportive and motivating work environment. It is a key enabler in building a strong work culture and a work environment conducive to the WM&D effort.

INSTRUCTIONS: For each numbered item below, mark a "1" in the box that best represents the percentage of time this activity occurs in the court overall.

This happens:

	Never or occasionally (50% or less of the time)	Sometimes or often (51–75% of the time)	Almost always or always (76–100% of the time)
1. Employees' achievements are celebrated by their colleagues and supervisors.			
2. Superior performance is recognized by employees' supervisors.			
3. Employees are motivated and want to do their best in their positions.			
4. Formal recognition programs exist to reinforce exceptional employee effort.			
5. The work environment can be described as a positive one where employees look forward to coming to work.			
Subtotals (for each column, total the 1's)			

BASIC BUILDING BLOCKS ASSESSMENT

H. RETIREMENT GAP PREPARATION

Definition: Retirement gap preparation involves anticipating and planning for the retirement of key personnel in order to provide a smooth transition and ensure that critical knowledge is not lost. Normally part of any workforce planning strategy, retirement gap preparation has recently become a distinct area of focus due to the anticipated retirement wave in the courts over the next decade.

INSTRUCTIONS: For each numbered item below, mark a “1” in the box that best represents the percentage of time this activity occurs in the court overall.

This happens:

	<i>Never or occasionally</i> (50% or less of the time)	<i>Sometimes or often</i> (51–75% of the time)	<i>Almost always or always</i> (76–100% of the time)
1. The court has a system for formally tracking impending retirements.			
2. Court leaders know approximately when people in critical positions will be retiring.			
3. A transition plan has been developed for each person in a critical position who is retiring within the next 5 years.			
4. Critical knowledge for each critical position is documented in the form of processes and procedures.			
5. Where feasible, high-potential employees are being developed for consideration in filling critical positions.			
Subtotals (for each column, total the 1's)			

BASIC BUILDING BLOCKS ASSESSMENT

SCORING SHEET FOR WM&D CATEGORY _____

Phenomenon or activity	Occurs 50% or less of the time	Occurs 51–75% of the time	Occurs 76–100% of the time
1.			
2.			
3.			
4.			
5.			
Column subtotals:			
	↓ x 0 =	↓ x 10 =	↓ x 20 =

↓ ↓ ↓

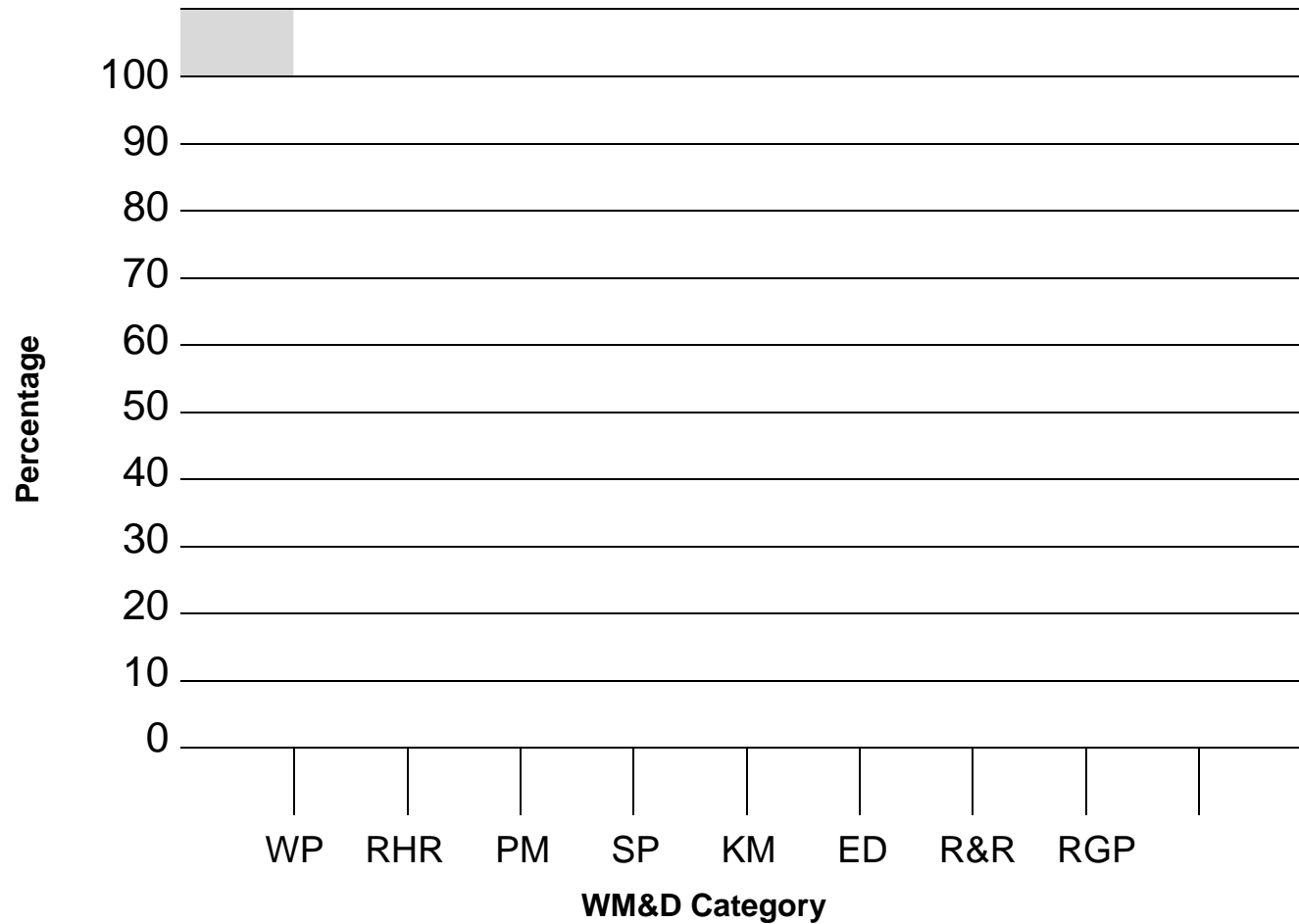
Total score: + + = _____

BASIC BUILDING BLOCKS ASSESSMENT
SUMMARY SCORE SHEET

WM&D System	Relative Score
A. Workforce planning	
B. Recruiting, hiring, and retention	
C. Performance management	
D. Succession planning	
E. Knowledge management	
F. Employee development	
G. Reward and recognition systems	
H. Retirement gap preparation	

BASIC BUILDING BLOCKS ASSESSMENT
WM&D PROCESS SNAPSHOT

Assessment of Relative Strengths of Processes in an Organization



BASIC BUILDING BLOCKS ASSESSMENT WORKSHEET

Purposes: To summarize key findings and areas for follow-up via WM&D system assessment; clarify the potential costs of not properly addressing the areas of concern; and identify immediate next steps.

1. List your primary areas of concern.
2. List each of your primary areas of concern and the possible cost of not addressing it. Decide on priority, and number or rank accordingly.
3. List each agreement made about follow-up on the highest-priority items, specifying “what,” “who,” and “by when.”

BASIC BUILDING BLOCKS ASSESSMENT

A. WORKFORCE PLANNING

Definition: Workforce planning involves a strategic review of the court's current workforce to see if any adjustments need to be made in the number, types, or descriptions of positions in order to respond to changing needs in the court and the judicial branch.

INSTRUCTIONS: For each numbered item below, mark a "1" in the box that best represents the percentage of time this activity occurs in the court overall.

Possible responses are:

- *Never or occasionally (occurs 50 percent or less of the time)*
- *Sometimes or always (occurs 51 to 75 percent of the time)*
- *Almost always or always (occurs 76 to 100 percent of the time)*

This happens:

	<i>Never or occasionally</i> (50% or less of the time)	<i>Sometimes or often</i> (51–75% of the time)	<i>Almost always or always</i> (76–100% of the time)
1. Workforce planning is included as part of the strategic planning process of the court.			
2. Managers routinely review open or vacating positions to assess whether the existing position is still necessary or should be redirected and/or redefined to meet changing court needs.			
3. Managers routinely assess the changing demands on their areas of responsibility and effectively re-deploy their workforce resources to meet those demands.			
4. Position descriptions are routinely reviewed and updated.			
5. Court leadership ensures that adequate skills and knowledge levels exist to meet current and future court demands.			
Subtotals (for each column, total the 1's)			

BASIC BUILDING BLOCKS ASSESSMENT

SCORING SHEET FOR WM&D CATEGORY _____

Phenomenon or activity	Occurs 50% or less of the time	Occurs 51–75% of the time	Occurs 76–100% of the time
1.			
2.			
3.			
4.			
5.			
Column subtotals:			
	↓ x 0 =	↓ x 10 =	↓ x 20 =

Total score: ↓ ↓ ↓ + + = _____

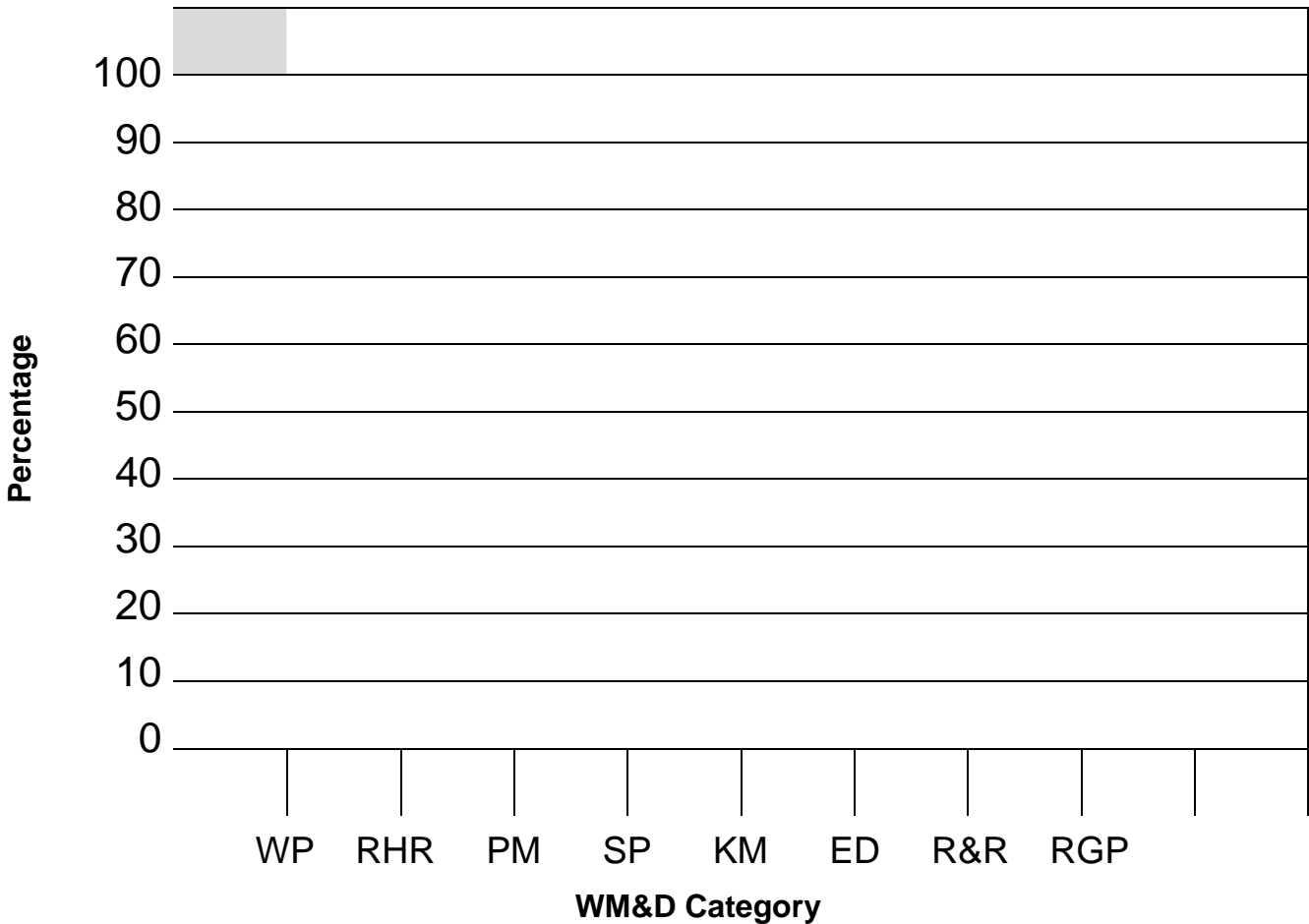
EXAMPLES

BASIC BUILDING BLOCKS ASSESSMENT SUMMARY SCORE SHEET

WM&D System	Relative Score
A. Workforce planning	
B. Recruiting, hiring, and retention	
C. Performance management	
D. Succession planning	
E. Knowledge management	
F. Employee development	
G. Reward and recognition systems	
H. Retirement gap preparation	

BASIC BUILDING BLOCKS ASSESSMENT
WM&D PROCESS SNAPSHOT

Assessment of Relative Strengths of Processes in an Organization



Summary: Assessing and Analyzing WM&D Systems

The assessment of a WM&D system fulfills two purposes. First, it helps educate the management team about the topic of workforce management and development and what it encompasses. Second, the results of the assessment enable the team to determine whether and where improvements need to be made.

Outcomes. By completing this assessment, a court will have:

- Learned about WM&D as it currently is practiced in the court
- Discussed and agreed on the relative strength of each component of the WM&D system
- Determined the relative strength of each WM&D process category
- Noted key areas of concern

Uses. The prioritized areas and issues will help a court identify where corrective action is needed in order to reach the goal of “the right people with the right skills in the right job to meet organizational needs.”

The biggest benefits of this exercise are the thought and dialogue that occur as all aspects of WM&D are discussed. We recommend holding this type of discussion every six months or so to track progress and make the needed adjustments to the operational plan and strategy.

Next Step. What kind of benefits might a court receive if it has strong WM&D processes and practices? The following table summarizes the benefits associated with effective WM&D processes.

Benefits of the WM&D Process

WM&D component	How strong execution of the component can benefit the court
Workforce planning	<ul style="list-style-type: none"> • Improves employees' effectiveness through accurate, efficient alignment of the workforce with strategic objectives • Helps ensure that replacements are available to fill important vacancies • Provides realistic staffing projections for budgeting purposes • Ensures that recruitment resources are used efficiently and effectively • Sharpens focus of training or retraining and of employee development
Recruiting, hiring, and retention	<ul style="list-style-type: none"> • Improves the quality and quantity of candidates • Provides proper screening mechanisms to ensure a good fit between a position and the selected candidate—which, in turn, improves employee retention • Produces retention strategies that allow for flexibility in keeping valued employees who may otherwise leave the organization
Performance management	<ul style="list-style-type: none"> • Prioritizes work based on and in alignment with organizational strategy and objectives • Clearly defines expectations and concrete goals and deliverables for employees • Allows for correction of performance problems before they worsen • Enables better utilization of training and development opportunities • Clarifies roles and responsibilities • Increases employee commitment levels
Succession planning	<ul style="list-style-type: none"> • Prepares future leaders • Allows for smooth job transitions • Ensures that the right skills and knowledge exist in the organization • Increases the likelihood of minimal impacts on operations when someone leaves the organization
Knowledge management	<ul style="list-style-type: none"> • Identifies critical knowledge • Makes key information readily available and easily shared, allowing for learning and improvements to occur • Produces standardization and documentation of processes and procedures, making them easy to replicate • Captures knowledge • Provides mechanisms for effective knowledge transfer (technology, mentor programs, and so on) • Allows for improvements in employee development training and opportunities
Employee development	<ul style="list-style-type: none"> • Increases individual skills and knowledge, leading to better performance • Increases the court's capability to respond to changing demands • Prepares employees for job changes (promotions and lateral transfers) • May be seen as a reward or recognition by employees • Shows the court's investment in employees
Reward and recognition system	<ul style="list-style-type: none"> • Increases employee commitment • Increases employee effort • Motivates employees • Is correlated with increased job satisfaction and employee retention
Retirement gap preparation	<ul style="list-style-type: none"> • Identifies areas of retirement eligibility and risk • Allows for better planning and preparation for departures and the gaps they create • Enables identification of critical information and capture of knowledge before someone leaves the organization • Helps in directing succession planning and knowledge management

Putting It All Together: Action Planning and Additional Resources

Action Planning



Why: After the initial assessments have been completed and discussed by the senior management team, the next step is to prioritize areas for further work, plan next steps, develop a timeline, and begin implementing steps that will address the identified areas of concern.



Who does this activity: CEO and senior management team.



How: Consider the demographic data, list of critical positions, and WM&D system analysis and summarize the results.

Considerations

- A. Which findings indicate that action is called for? Prioritize the needs as you understand them.
- B. In which areas do you need more data? What questions do you need answered before you can fully understand the extent of the WM&D challenges facing your court?
- C. Identify the next steps needed to close identified WM&D gaps and mitigate retirement impacts.
- D. Document your action plan.
- E. Implement your action plan.

Additional Resources

For additional, detailed information on how to address succession planning and knowledge management needs in your court, contact the AOC Education Division/Center for Judicial Education and Research and request the following guides:

1. *Succession Planning and Management Guide*
2. *Knowledge Management Handbook*

Appendix A. Union Considerations in WM&D Efforts

Policy Considerations

When you begin to consider making changes in WM&D systems, we recommend that you inform any recognized employee organizations of the potential changes and preferably involve them in the discussions. If the court gives employee organizations an opportunity to provide input in the early stages, the court may receive support throughout the change process, from the planning stage to implementation.

Guidelines for Union Involvement

(when considering changes involving conditions of employment)

When a court proposes a change to a matter that is within the scope of union representation, the court has an obligation to notify its recognized employee organizations and to meet and confer on request. (Gov. Code, § 71630.)

The term “scope of representation” refers to the mandatory subjects of negotiations. The representatives of the court and the organization must meet and confer in good faith on “all matters relating to employment conditions and employer-employee relations, including, but not limited to, wages, hours, and other terms and conditions of employment.” (Gov. Code, § 71634(a).) Also included within the scope of representation are:

- The processes, procedures, and criteria for assigning and transferring employees
- Changes in job classifications
- Changes in rules, practices and policies
- Changes in an existing performance management system or establishment of a new one, and the methods of evaluating performance and determining promotions
- Establishment or modification of a succession planning program
- Changes in selection criteria or processes
- Progressive discipline

Before making a final decision about a new policy or course of action, the trial court must fully consider the input provided by the recognized employee organizations on behalf of their members. (Gov. Code, § 71634.2(a).)

Appendix B. Retaining Retirement-Eligible Talent

The Situation

In the next several years, many court and judicial branch employees will be eligible to retire. The loss of their critical talent and knowledge could very well endanger the effective operation of the courts.

Retaining critical talent requires a multitier approach that includes succession planning and development, creation of a work environment that is motivating and fulfilling, and development of managers to lead.

Retiring employees can potentially be influenced to delay their retirement, thereby allowing the court more time to build its replacement capability. Even if these employees do retire, it may be possible to contract with them so that they continue to perform valuable services for the court. Successfully retaining these employees in some capacity is highly desirable.

The main key to achieving the retention of critical talent is to have a set of policies and programs that fit the needs of the employees with that talent. Also required is a set of management behaviors that will support flexible work arrangements for these employees without causing morale issues or operational problems.

Research

In May 2004 we asked the Corporate Leadership Council to conduct a literature search on retaining retirement-eligible talent. The search yielded these findings:

Finding 1: Public-sector companies find information about retaining talent on the Internet and through outreach to the older-adult community.

Finding 2: Private-sector companies find the critical talent they need through strategic partnerships with former employees and search firms, as well as through passive candidate pools.

Finding 3: To retain retirement-eligible employees, organizations offer benefits and monetary incentives, customized work arrangements, and development opportunities.

Finding 4: Research reveals a paucity of formal policies on rehired annuitants. Most organizations follow the Office of Personnel Management guidelines and provide retirement benefits on a case-by-case basis.

Research shows that while some organizations are beginning to train the next generation of leaders, some are attempting to delay the loss of knowledge by retaining retirement-eligible employees through the use of creative measures such as mentoring programs, phased retirement programs, flexible work schedules, and retired annuitant programs. The practice of hiring retirees is becoming increasingly popular as many public-sector organizations recognize its benefits in a climate of increasing talent shortage. The California courts could utilize retirees for seasonal peaks in workload, emergency fill-in, training of successors, or special projects, as other states are doing. For example, New York State obtained a legislative amendment to enable it to hire retirees on a contract basis. New York's section 211 allows an agency to rehire a retiree without diminution of pension benefits, or to limit income by use of a

formula tied to the value of the pension benefit and the proposed salary. Retirees work part-time basis, usually on a seasonal contract or for a hard-to-fill vacancy, until the state's monetary cap is reached.

The California Rules of Court allow for retired persons to return to work on a temporary basis as long as they don't exceed 960 hours of work in any calendar year. This means that they can work half-time for a year or full-time for a half year. They also can come back to work as independent contractors after one year of post-retirement (with some restrictions.)

Consider the following actions:

- Identify the individuals who are within two or three years of retirement and have operationally critical positions and knowledge that, if lost, could endanger the effective operations of the court.
- Determine whether successors could be developed for those positions or knowledge sets.
- Otherwise, solicit the individuals for their input about retirement and their interest levels in delaying retirement. Ask them specifically whether they would be interested in continuing to serve the court in some capacity in order to develop and transfer knowledge, and identify the terms that would make this offer attractive (e.g., reduced hours and one or two days of work per week, and/or contract employment for a specific period of time, such as six months).
- If developable talent does not exist within your court, and other courts in the county or region are unwilling to let go of their talent, seek other sources of talent (public or private) in the community through partnerships with local educational institutions.
- Implement creative workforce management strategies to delay the retirement of eligible employees or maintain the services of those already retired.

It is not sufficient to think only of filling a vacant position when one arises; rather, it will be important in the future to evaluate the best and most efficient ways to get the work done and consider alternatives to strict replacement. In situations where an individual is clearly needed to perform the work, then we recommend considering the following alternatives to full-time, permanent replacement, which can be implemented alone or in conjunction with one another:

- *Part-time scheduling or reduced hours*
For positions that do not require a full-time commitment, and for special projects, allow individuals to reduce their hours or days worked to gradually transition to retirement.
- *Job sharing*
For nonexempt, routine positions that require a full-time commitment, allow two individuals to work part-time and share the position; alternating days or hours on the job.
- *Flex scheduling*
For work that does not require service to customers during specific hours, allow individuals to alter their start and end times.
- *Contract employment with retirees*
For work needs that can be met by your knowledgeable retiring workers, hire them on a contractual basis.